

Barnardo's Northern Ireland

Evidence to the Committee for Health

Adoption and Children Bill

Barnardo's NI is the largest children's charity in Northern Ireland. Every year we work with more than 18,000 children, young people and families across more than 45 different services and programmes. We are a leading provider of schools-based support, reaching more than 32,000 children in schools across the UK and Ireland through our NI-managed social and emotional literacy programmes.

We deliver a wide range of services, from providing family support and early intervention, to working directly with children and families who have experienced adversity and need our support. Our goal is to achieve better outcomes for more children. To achieve this, we work with partners to build stronger families, safer childhoods and positive futures.

Barnardo's NI welcomes the opportunity to provide written evidence on the Adoption and Children Bill to the Committee for Health. Our comments are informed by our extensive experience and expertise working with children and families in Northern Ireland. For over 40 years our Family Placement service has recruited and supported foster carers for children with extra needs, this includes children who have suffered early childhood trauma and attachment difficulties. Our fostering service provides a variety of foster care: short term, long term, emergency overnights, parent and child placements, fostering to adopt, and young people leaving the care system. Our family placement service was recently approved as an adoption agency in Northern Ireland, allowing for a smoother transition through the adoption process for the children and families we support.

Barnardo's NI currently delivers two Leaving Care services, in Belfast and Ballymena, which provide semi-independent accommodation and support for young people aged 16-21 years old. The Leaving Care services are jointly commissioned by the NI Housing Executive's Supporting People Programme, and the five Health and Social Care Trusts. The aim of the Leaving Care services is to support young people, who have been assessed as having medium to high support needs, to acquire knowledge, skills and experience that will enable them to move successfully into adulthood and live more independently. This is achieved through trauma informed, relational based work that responds to the specific and complex needs of young people leaving care.

Our evidence is split into three sections – the Bill overall, the definition of harm and finally, looking forward to the implementation of the proposals.

1. Content of the Bill

- 1.1. Barnardo's NI welcomes the introduction of the Adoption and Children Bill. This proposed legislation has been in development for over 16 years, and its introduction to the Assembly is an encouraging step towards becoming law. The Adoption and Children Bill will bring long-overdue reform to the adoption and care system in Northern Ireland, providing much needed support to both children and families.
- 1.2. Given the long delays already experienced in bringing this legislation to the Assembly, we would encourage Members to support the smooth and efficient passage of this important piece of legislation through the Assembly. Our children and families have waited too many years for these proposals to become a reality, and if the Bill is not passed in this mandate, that delay will be further drawn out. Children and families need these changes now.
- 1.3. Barnardo's NI warmly welcomes the approach the Department of Health has taken in the development of this Bill. The contents of this Bill have been developed, discussed, and amended following detailed and ongoing consultation with the children's sector and other stakeholders in Northern Ireland. With the exception of one minor amendment detailed below, Barnardo's NI strongly supports this Bill as introduced.

2. Clause 133 – Definition of harm

- 2.1. Clause 133 outlines proposed changes to the definition of harm in the Children Order. The current proposal would extend the definition of harm to include where a child sees or hears the ill-treatment of another. Barnardo's NI would strongly urge the Committee to expand this definition further to recognise that children do not need to witness ill-treatment by sight or sound to be affected and impacted by it.
- 2.2. The Barnardo's NI Domestic Violence Risk Assessment for Children (DVRAC) outlines that "Children can be affected by domestic violence, even if they are not in the same room as it is happening". Our UK research report, '[Not Just Collateral Damage](https://www.barnardos.org.uk/sites/default/files/uploads/'Not%20just%20collateral%20damage'%20Barnardo's%20Report_0.pdf)'¹, outlines that children are the hidden victims of domestic abuse and the long term impacts on children include a detrimental impact on their mental health, development, risk of harmful sexual behaviour, future cycles of abuse, and the potential of youth offending.

¹https://www.barnardos.org.uk/sites/default/files/uploads/'Not%20just%20collateral%20damage'%20Barnardo's%20Report_0.pdf

- 2.3. This was recognised in the recent Domestic Abuse and Family Proceedings Act (Northern Ireland) 2021 in Clause 9 (2) where the abuse was aggravated by reason of involving a relevant child if:
- (a) at any time in the commission of the offence—
 - (i) A directed, or threatened to direct, behaviour at the child, or
 - (ii) A made use of the child in directing behaviour at B, or
 - (b) the child saw or heard, or was present during, an incident of behaviour which A directed at B as part of the course of behaviour, or
 - (c) a reasonable person would consider the course of behaviour, or an incident of A's behaviour that forms part of the course of behaviour, to be likely to adversely affect the child.
- 2.4. Barnardo's NI believes it is crucial that the Adoption and Children Bill recognises the impact of harm caused if abuse impacts those close to children and young people, whether or not the child witnesses it by sight or sound. Additionally, while we are highlighting the Domestic Abuse and Family Proceedings Act as an example of this provision in legislation, we do not believe that the definition in this Bill should be restricted to domestic abuse only, this applies to any kind of abuse that might interconnect with the life of a child.

3. Implementation

- 3.1. Children and families have been waiting for these changes for many years and the scale of the change is considerable. Barnardo's NI understands that it will not be possible logistically or financially to implement all these changes at once, however it is essential that the Department of Health extends itself as far as possible to implement these changes forward.
- 3.2. Additionally, these challenges should not be left solely to the Department of Health. The welfare and wellbeing of children and young people is a responsibility of all executive departments, for example educational achievement (Education), housing (Communities) and training and employment (Economy) – to highlight a select few. This is explicitly recognised in the Bill in Schedule 3, where the Children's Services Co-operation Act (Northern Ireland) 2015 is amended to reflect the new duties placed on authorities to provide extended support to care leavers. Barnardo's NI would like to see the effective implementation of the Children's Services Co-operation Act, and those

new duties through resource and funding commitments from all relevant departments.

- 3.3. Barnardo's NI would welcome the development of an action plan outlining the actions planned by the Department and the corresponding timeline scale for implementation. In particular, given the scale and breadth of change, Barnardo's is keen to understand how the Department intends to prioritise the changes provided for in this legislation.
- 3.4. Barnardo's NI is committed to work closely and collaboratively with the Department on the implementation of this legislation, bringing with us decades of experience and expertise support children in and leaving care, not just in Northern Ireland but throughout the UK. Many children, young people and families that we support will be directly impacted by these changes and it is vital that their voice is central in the implementation of this legislation.
- 3.5. Additionally, in order for many of these proposals to effect real change, they must be properly resourced and funded. For example, Clause 122 places a duty on authorities to promote educational achievement and prevent disruption of education and training. Barnardo's NI warmly welcomes this provision as disruption to education is a key challenge that our care experienced children and young people face. However, in order for this provision to be viable in practice, authorities must be funded to provide the necessary and appropriate support to children and their carers. For example, where a child is moved away from the local area of their school – funding and resource must provide for transport to and from their school. In cases where a child is moved beyond the normal network of school or public transport, this can be a significant cost which often falls to community and voluntary sector organisations, as well as foster parents or carers themselves.
- 3.6. Finally, when the provisions in this Bill are implemented, clear and timely guidance will be essential in ensuring children and families receive consistent, high-quality support. Many of these provisions place additional responsibilities on the teams and services that work closely with children in care, and these teams will need to be well-informed about these changes to ensure that children and carers receive the support they are entitled to.

Barnardo's NI welcomes the opportunity to provide written evidence to the Committee for Health on the Adoption and Children Bill. Barnardo's NI strongly supports the passage of this Bill through the Assembly and we would urge Members to effectively exercise their democratic and legislative duties in order

to ensure this Bill becomes an Act within this Assembly mandate. The provisions in this Bill bring about long overdue reform, however the real impact will be felt through the effective implementation of the provisions. Barnardo's NI has considerable service experience and expertise supporting children and families in Northern Ireland and we are keen to work closely with the Department of Health as they develop and implement the provisions in the Bill.

We would welcome the opportunity to provide oral evidence to the Committee to provide further details, answer any questions that Members may have and reflect the experiences of the children and families we support.

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